

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

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FINAL STATEMENT OF REASONS

CALIFORNIA CODE OF REGULATIONS

TITLE 8: Division 1, Chapter 4, Subchapter 7, Article 109, Section 5189, Appendix A-Mandatory, Section 5192(a)(3), and Section 5198(j)(2)(D)(2) of the General Industry Safety Orders and Subchapter 4, Section 1532.1(j)(2)(D)(2) of the Construction Safety Orders.

Federal OSHA Amendments and Technical Corrections

MODIFICATIONS AND RESPONSE TO COMMENTS RESULTING FROM THE 45-DAY PUBLIC COMMENT PERIOD

There are no modifications to the information contained in the Initial Statement of Reasons.

SUMMARY AND RESPONSES TO WRITTEN AND ORAL COMMENTS

I. Written Comments

Mr. David Shiraishi, MPH, Area Director - Region IX, United States Department of Labor, Occupational Safety and Health Administration, by letter dated June 22, 2012.

Comment: Mr. Shiraishi stated that the proposed occupational safety and health standard appears to be commensurate with federal standards except that the Chemical Abstract Service (CAS) number for Oleum is incorrect. The correct CAS number is 8014-95-7, not 8014-945-7.

Response: Oleum is included to correct the CAS number from 8014-94-7, to 8014-95-7. Unfortunately, the strikeout of the "4" is difficult to see; therefore, Board staff will highlight the correct number to ensure that CAS number is correctly printed in the California Code of Regulations. The Board acknowledges Region IX approval of the proposal as being commensurate with federal standards.

II. Oral Comments

There were no oral comments received at the June 21, 2012, Public Hearing in Sacramento.

ADDITIONAL DOCUMENTS RELIED UPON

None.

ADDITIONAL DOCUMENTS INCORPORATED BY REFERENCE

None.

DETERMINATION OF MANDATE

This regulation does not impose a mandate on local agencies or school districts as indicated in the Initial Statement of Reasons.

ALTERNATIVES CONSIDERED

No reasonable alternatives have been identified by the Board or have otherwise been identified and brought to its attention that would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.